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Attorney for Plaintiffs
 Shoreside Petroleum, Inc.,
 d/b/a Marathon Fuel Service
 and Metco, Inc.

IN THE UNITED STATES DISTRICT COURT
 FOR THE DISTRICT OF ALASKA

UNITED STATES OF AMERICA for the)
 use of NORTH STAR TERMINAL &)
 STEVEDORE COMPANY, d/b/a Northern)
 Stevedoring & Handling, and NORTH)
 STAR TERMINAL & STEVEDORE COMPANY,)
 d/b/a Northern Stevedoring & Hand-)
 ling, on its own behalf,)

Plaintiffs,)

and)

UNITED STATES OF AMERICA for the)
 use of SHORESIDE PETROLEUM, INC.,)
 d/b/a Marathon Fuel Service, and)
 SHORESIDE PETROLEUM, INC., d/b/a)
 Marathon Fuel Service, on its own)
 behalf,)

Intervening Plaintiffs,)

and)

METCO, INC.,)

Intervening Plaintiff,)

vs.)

NUGGET CONSTRUCTION, INC.; SPENCER)
 ROCK PRODUCTS, INC.; UNITED STATES)
 FIDELITY AND GUARANTY COMPANY; and)
 ROBERT A. LAPORE,)

Defendants.)

SHORESIDE'S AND METCO'S
OPPOSITION TO USF&G'S
MOTION TO STRIKE

3:98-cv-0009-TMB

COMES NOW Shoreside Petroleum, Inc., d/b/a Marathon Fuel Service ("Shoreside") and Metco, Inc. ("Metco"), by and through counsel, and file this Opposition To USF&G's Motion To Strike.¹ USF&G moved to strike the cross-motion filed by Shoreside and Metco to strike USF&G's designated expert.

USF&G filed a motion to strike the claimants' designated expert, William Grant Callow, on May 1, 2006. USF&G placed the issue in controversy. Shoreside and Metco, joined by North Star, timely opposed that motion and cross-moved to strike USF&G's designated expert, John L. George, relying on the same discussion of law set forth in one memorandum. A cross-motion is permitted under the rules. Describing the pleading as a "motion" rather than a "cross-motion" seems to fit more easily within the Electronic Case Filing system of tracking pleadings.

Rule 1 of the Federal Rules of Civil Procedure states that the Rules "shall be construed and administered to secure the just, speedy, and inexpensive determination of every action." The court will be assisted by USF&G's discussion of the law in relation to both proffered experts. The matter regarding the admissibility of expert testimony should be addressed at this time in one architectonic order.

The cross-motion is timely and appropriate. USF&G's motion to strike should be dismissed and the matter addressed on the merits.

¹ This pleading addresses the motion filed by USF&G at Docket Entry No. 565.

DATED this 1st day of June, 2006 at Anchorage, Alaska.

THE LAW OFFICE OF STEVEN J. SHAMBUREK
Attorney for Plaintiffs
Shoreside Petroleum, Inc., d/b/a Marathon
Fuel Service and Metco, Inc.

s/ Steven J. Shamburek
By: _____
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CERTIFICATE OF SERVICE

The undersigned certifies that on the 1st day of June, 2006, a copy of the foregoing was served by the Electric Case Filing.

s/ Steven J. Shamburek

Steven J. Shamburek